



Graves Garrett LLC

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August 7, 2023

**Via CM/ECF Filing Only**

The Hon. James O. Browning  
United States District Judge  
United States District Court for the  
District of New Mexico  
United States District Court  
Pete V. Domenici United States Courthouse  
333 Lomas Blvd NW, Suite 660  
Albuquerque, New Mexico 87102

**Re: Status of Proceedings Before the United States Court of Appeals for the  
Tenth Circuit in *Voter Reference Foundation, LLC vs. Torres, et. al*, No. 22-2101**

Dear Judge Browning:

On Friday, August 4, 2023, the United States Court of Appeals for the Tenth Circuit issued the attached order in the Defendants' appeal of the District Court's preliminary injunction order.

Per the Tenth Circuit's order, the appeal is abated until the District Court enters a final judgment in the underlying case. The stay of the preliminary injunction remains in effect while the appeal is abated.

Respectfully,

Edward D. Greim  
Counsel for Plaintiff

Cc: Jeff Herrera, Assistant Attorney General (by CM/ECF)  
Mark Allen, Assistant Attorney General (by CM/ECF)

**FILED**

**United States Court of Appeals  
Tenth Circuit**

**UNITED STATES COURT OF APPEALS**

**FOR THE TENTH CIRCUIT**

**August 4, 2023**

**Christopher M. Wolpert  
Clerk of Court**

VOTER REFERENCE FOUNDATION,  
LLC,

Plaintiff - Appellee,

v.

RAUL TORREZ, in his official capacity as  
New Mexico Attorney General, et al.,

Defendants - Appellants.

No. 22-2101  
(D.C. No. 1:22-CV-00222-JB-KK)  
(D. N.M.)

**ORDER**

This matter is before the court on the supplemental briefing filed by the parties in response to the court's July 26, 2023 order. Upon careful consideration, this matter is ABATED until the district court enters final judgment in the underlying case.

This court's stay of the preliminary injunction at issue in this appeal remains in effect while this matter is abated. The September 19, 2023 oral argument in this matter is VACATED, and all counsel are excused from attendance.

Within 30 days of the date of this order, and every 30 days thereafter, the parties shall file a joint status report to inform this court of the status of the underlying district court proceedings. Within 5 days of the district court's entry of final judgment in the underlying case, the parties shall file status reports stating whether there are any

issues remining for this court to decide in this appeal.

Entered for the Court,

A handwritten signature in black ink, appearing to read 'C. Wolpert', with a long horizontal stroke extending to the right.

CHRISTOPHER M. WOLPERT, Clerk